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Two Bills Opposed Last Year By Publishers Reintroduced

Two pieces of legislation the publishing industry fought against last year have been reintroduced in Congress this session, one of them with unusually strong leadership support.

That bill would bar the publication of the names of U.S. secret agents, while the other would give the FBI and CIA some relief from the strictures of the Freedom of Information Act used by many authors to gather material for books, and reporters for news stories. Both failed to pass last year when the Congress was composed of members more disposed to the publishers' side.

The two party leaders in the House, Jim Wright (D., Tex.) and Robert H. Michel (R., Ill.) joined forces in urging the bill to protect the names of agents. Their version was the same one approved last year by two House committees and considered more onerous to publishers and writers than the Senate version that also failed to pass.

The House version would allow prosecution of private citizens, in addition to current and former government employees, for revealing the name of an agent if the revelation was made "with the intent to impair or impede the foreign intelligence activities of the United States."

The Senate version sent to the floor late last year would have exempted the revelation from prosecution if it were "an integral part of another activity," such as news reporting of intelligence failures or abuses or other activities protected by the First Amendment to the Constitution; including book publishing. Novelists Sol Yurick and Bernard Malamud had testified for PEN that the stronger language that had been proposed in the House version could even have led to censorship of fiction.

The target of both versions was the anti-CIA newsletter, *Covert Action Information Bulletin*, which, according to Wright at a news conference announcing the joint action February 25, was one of the publications that have disclosed the names of a total of 1800 operatives.

Michel said at the news conference that "What this legislation does is protect human life and the proper and legal intelligence operations this government is obligated to carry out."

Several groups, including the Association of American Publishers, have joined forces under the auspices of the Campaign for Political Rights to coordinate a defense against the bill. Their main thrust, however, was expected to be directed against the efforts to give intelligence agencies more freedom and secrecy at the expense of reporters, writers and scholars.

Sen. Orrin Hatch (R., Utah) introduced a bill February 26 that would allow the CIA and FBI to refuse to release some information that they are now required to divulge. His bill was necessary, Hatch said, because FOIA has "impaired legitimate law enforcement and intelligence activities." The measure would exempt certain types of information, make others harder to obtain and make it costlier for information seekers to obtain the data, including a flat \$10 processing fee in addition to charges for searching and copying.

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